

REMARKS

Claims 1 and 4, 6-20 are pending.

Claims 1, 6 and 10 are amended.

Claim 5 is cancelled.

Claims 1 and 4-20 are rejected.

Amended Claims 1, 6 and 10

Claim 1 is amended to include the limitations of claim 5 and to further limit the definitions of formula II when the L is a compound of formula V or VIII.

Claim 6 and 10 are amended to make consistent with amended claim 1.

No new matter is added.

35 USC 103(a)

Claims 1, 4-15, 17, 19 and 20 are rejected under 35 USC 103(a) as being unpatentable over Lent, US 5,837,042 (D2) in view of Goulle, WO 96/20942 (D1).

Claims 1, 4-13 and 16-20 are rejected under 35 USC 103(a) as being unpatentable over Jalon, US 4,891,505 (D3) in view of Goulle, WO 96/20942 (d1).

The present invention pertains to a process for the preparation of luminescent polymeric fibres, wherein the fibres are treated with a composition comprising

- (a) one or more luminescent lanthanide chelates containing three organic anionic ligands having at least one UV absorbing group and component (a) is a compound of formula II, III or IV and
- (b) one or more solvents.

D1 pertains to specific luminescent lanthanide complexes which are not encompassed by compounds of the present invention. There is no overlap between D1 and the presently claimed compounds.

D1 points out that lanthanide complexes according to D1 display especially bright triboluminescence (D1, p. 1, paragraph 5). D1 does not give any hint what other lanthanide complexes might be suitable for the preparation of polymeric fibres.

D2 pertains to an ink jet composition comprising a colorant and an ink carrier whereby the colorant comprises a rare earth metal and a chelating ligand, preferably lanthanide chelates. D2 is silent about the ratio of chelating ligand to rare earth metal. D2 gives Lumilux CTM as examples of such colorants but the structures thereof are not given and cannot be found in the Color Index.

D3 pertains to a process for security-marking of articles (documents, identity cards, bills, etc.) by dyeing with a mixture of at least two lanthanide chelates.

Specific information about suitable chelate complexes can only be found in the working examples. In example 1, 4 moles of benzoyl trifluoroacetone and 4 moles of dimethyl amine are reacted with 1 mole of lanthanide chloride (0.9 mole TeCl_3 + 0.1 mole EuCl_3), i.e. chelates are formed, whereby 4 diketone ligands are bound to the lanthanide atom. In examples 2-6, other diketones and other lanthanides compounds are used. The molar ratio diketone/lanthanide is 4:1 in all examples.

None of D1-D3 gives any hint of the compounds of formula II, III or IV and of their suitability for the preparation of luminescent polymeric fibres.

Consequently, the amended set of claims is non-obvious in view of the prior art.

The Applicants respectfully request reconsideration and withdrawal of the rejections in light of the amendments, remarks and previously submitted 1.132 declaration.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,

Ciba Specialty Chemicals Corporation
540 White Plains Road
Tarrytown, New York 10591
(914) 785-2768
SAL\22774FR.doc


Shiela A. Loggins
Agent for Applicants
Reg. No. 56,221